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PATENT  
4450-0403P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Michael Y. FRANKEL	Conf.:	Not Assigned
Appl. No.:	10/662,352	Group:	Not Assigned
Filed:	September 16, 2003	Examiner:	Not Assigned
For:	RECONFIGURABLE OPTICAL ADD/DROP NODE WITH DISTRIBUTED SPECTRAL FILTERING		

REQUEST AND CERTIFICATION  
UNDER 35 U.S.C. § 122(b) (2) (B) (i)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

VIA FACSIMILE (703) 746-6608  
January 12, 2004

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

Docket No. 4450-0403P

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By \_\_\_\_\_

  
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